

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.1403 of 2019**

Arising Out of PS. Case No.-113 Year-2018 Thana- WARISLIGANJ District- Nawada

VISHAL KUMAR Son of Late Ravi Prasad under legal guardianship of Usha Devi (mother of Petitioner) Wife of Late Ravi Prasad. Resident of Mohalla - Station Road, Warisaliganj, P.S.- Warisaliganj, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Respondent/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 10-06-2020

This application has been placed for consideration by the order of the Hon'ble the Chief Justice through virtual court proceeding.

Heard learned counsel for the petitioner and learned APP for the State.

This revision application is directed against the order dated 04.10.2018 passed by learned Ist Additional Sessions Judge-cum-Special Judge, POCSO Act, Nawada in Cr. Appeal (Juvenile) No. 30 of 2018 and order dated 31.08.2018 passed in Warisaliganj P.S. Case No. 113 of 2018 by the Juvenile Justice Board, Nawada whereby and whereunder prayer for bail of the petitioner has been rejected.

Learned counsel for the petitioner has informed this Court that the Juvenile Justice Board is on the verge of conclusion



of the trial, the statement of the accused was recorded on 20.03.2020 but thereafter, because of the non-functioning of the Board during the Pandemic period, the case has not been taken up for hearing.

Learned counsel submits that only hearing has to take place but in the present circumstance it is not being heard.

Learned APP for the Stat submits that because the trial is at the fag end and now only hearing is required, recently some of the courts have started functioning either physically and/or through video application, this Court may direct the Juvenile Justice Board to conclude the trial within the given time frame by either conducting the proceeding physically or through video application.

Considering the facts and circumstances of the case, this being a case of juvenile who is in custody for more than two years and the trial of the case is now at the hearing stage, this Court is not inclined to grant bail to the petitioner at this stage and instead of granting bail, the Court thinks it just and proper to direct Juvenile Justice Board, Nawada to conduct the hearing of the case either physically or through virtual court proceeding as may be possible and conclude the trial within a period of three months from the date of receipt/production of a copy of this order.

Let a copy of this order be sent to the learned District &



Sessions Judge, Nawada to ensure compliance of the order.

This application stands disposed of .

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

